

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

**KENNETH FITCH  
ESTATE OF DIANNE L. FITCH**

**VS.**

**Civil Action No. 18-cv-214**

**FEDERAL HOUSING FINANCE  
AGENCY,  
FEDERAL NATIONAL  
MORTGAGEASSOCIATION,  
WELLS FARGO BANK, N.A.,  
HARMON LAW OFFICES, P.C.  
266 PUTNAM AVENUE, LLC  
RUSHMORE  
LOAN MANAGEMENT SERVICES, LLC,  
US BANK NATIONAL ASSOCIATION AS  
TRUSTEE FOR RMAC TRUST, SERIES  
2016-CTT,**

**MOTION FOR SUMMARY JUDGMENT**

Plaintiffs, by their attorney, move that this Court grant Summary Judgment against Federal National Mortgage Association, Rushmore Loan Management Services, LLC, US Bank National Association as Trustee for RMAC Trust Series 2016-CTT for the reasons stated in the attached Memorandum of Law. Based on the deficient Default Notice, the deficient Acceleration Notice, the failure to comply with the mediation statute and the fact that Federal National Mortgage Association lacked any ownership interest in the note or the mortgage, the foreclosure was void and Plaintiffs

are entitled to Judgment as a matter of law, there being no disputes of material fact.

KENNETH FITCH

ESTATE OF DIANNE L. FITCH  
By their Attorney

November 1, 2021

/s/ John B. Ennis  
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CERTIFICATION

I hereby certify that I emailed a copy of the above Motion for Summary Judgment to the following on this 1<sup>st</sup> day of November, 2021 and by electronic filing:

Thomas Walsh, Esq.  
Stephen Stoeher, Esq.  
Samuel Bodurtha, Esq.  
Michael Jusczyk, Esq.  
Zachary W. Bork, Esq.  
Rowdy Cloud, Esq.

/s/ John B. Ennis